

1 Sub 1 (Once Amended) A commerce management method for automatically managing  
2 B1. agreements including one or more contingencies, said method comprising the steps of:  
3 a) logging at least one condition for an agreement and identifying at least one  
4 potential response as indicating satisfaction of said at least one condition;  
5 b) retrieving information related to responses to each condition from independent  
6 sources;  
7 c) checking said retrieved information to determine whether said agreement is  
8 determinate; and  
9 d) notifying contracting parties when said agreement is determined to be determinate.

1 2. A commerce management method as in claim 1, wherein the logging step (a) further  
2 includes logging at least one milestone corresponding to satisfaction of each said condition.

1 3. A commerce management method as in claim 2, further comprising after the logging step  
2 (a), the steps of:  
3  
4  
5

- 6 a1) setting an alarm responsive to each milestone; and  
7 a2) waiting for an occurrence of one said alarm prior to proceeding to the retrieval  
8 step (b).  
9

1 4. A commerce management method as in claim 3, wherein the retrieving step (b) comprises  
2 automatically retrieving information from previously identified remotely connected locations.

1 5. (Once Amended) A commerce management method as in claim 4, wherein the retrieving  
2 step (b) further comprises the steps of:  
3

- 4 i) sending reminders to parties identified in said agreement; and  
5 ii) receiving input from said parties, said input being included in said retrieved  
6 information.  
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1 6. A commerce management method as in claim 3, wherein the waiting step (a) comprises,  
2 responsive to the occurrence of one said alarm, the further step of:  
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- 4 a3) sending reminders to parties identified in said agreement.  
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1 7. A commerce management method as in claim 3, wherein the checking step (c) comprises:

2 i) recording responses to satisfied conditions; and

3 ii) logging passage of each said milestone corresponding to the alarm occurrence.

1 8. A commerce management method as in claim 7, further comprising after the step (d) of  
2 notifying the parties, returning to the waiting step (a2) and, the waiting step (a2) further  
3 comprises returning to the logging step (a) responsive to a request by a contracting party to  
4 log conditions for a new agreement.

1 9. A commerce management method as in claim 7, wherein the step (d) of notifying the  
2 parties, notifies parties that the contract has failed when a response to a condition indicates  
3 said condition cannot be satisfied.

1 10. A commerce management method as in claim 7, wherein the step (d) of notifying the  
2 parties, notifies parties that the contract is determinate when identified satisfying responses  
3 have been received for each said condition.

1 11. A commerce management method as in claim 7, wherein the step (d) of notifying the  
2 parties, notifies parties a milestone has passed and a corresponding condition remains  
3 unsatisfied.

12. (Once Amended) An automated commerce management system comprising:
- a plurality of remotely connected terminals, contracting parties entering information about contract conditions in said terminals;
  - a storage maintaining a contingency agreement database, said contingency agreement database including contracting party information and condition information on a plurality of agreements, said condition information [comprising] including:
    - one or more potential responses satisfying each condition, and
    - one or more milestones for each said potential response; and
  - an automatic data retriever retrieving condition response information from independent sources via one or more remotely connected computers.
13. A commerce management system as in claim 12, further comprising:
- an automatic mailer selectively sending reminders to parties identified in said database and notifying contracting parties when a corresponding agreement is determinate.
14. A commerce management system as in claim 13 further comprising:
- a timer sending alarms to said automatic data retriever and said automatic mailer responsive to said milestones, said automatic data retriever retrieving data and said automatic mailer sending reminders responsive to alarms from said timer.
15. A commerce management system as in claim 14 wherein said automatic mailer sends electronic mail (e-mail) to parties identified by an e-mail address.

16. (Once Amended) A computer program product for automated commerce management, said computer program product comprising a computer usable medium having computer readable program code thereon, said computer readable program code comprising:

computer readable program code means for logging conditions for agreements and for each logged condition identifying at least one potential response as indicating satisfaction;

computer readable program code means for retrieving information related to responses to each condition from independent sources;

computer readable program code means for checking said retrieved information to determine whether said agreement is determinate; and

computer readable program code means for notifying contracting parties when said agreements is determinate.

17. A computer program product as in claim 16 further comprising:

computer readable program code means for maintaining a list of milestones, at least one milestone corresponding to each of said logged conditions.

18. A computer program product as in claim 17, wherein the computer readable program code means for logging conditions also logs parties identified with said conditions and said computer program product code for maintaining the milestone list further includes milestones for initiating sending reminders to said identified parties.

19. A computer program product as in claim 18, further comprising:

computer readable program code means for setting alarms corresponding to said milestones, said reminders being sent and said contracting parties being notified automatically in response to said alarms.

20. A computer program product as in claim 19, further comprising:

computer readable program code means for recording passage of a milestone.

1 21. A commerce management method as in claim 4, wherein said retrieved information  
2 includes at least one of: consumer's price index (CPI), prime lending rate (Prime), a web  
3 loan application status, a mortgage rate, a currency exchange rate, a bond interest rate, a raw  
4 material price, a weather forecast, auction results, election results, and ballot proposition  
5 results.

1 22. A commerce management system as in claim 12, wherein said condition response  
2 information includes at least one of: consumer's price index (CPI), prime lending rate  
3 (Prime), a web loan application status, a mortgage rate, a currency exchange rate, a bond  
4 interest rate, a raw material price, a weather forecast, auction results, election results, and  
5 ballot proposition results.

REJECTIONS UNDER 35 U.S.C. 103(a)

In the present Office Action, the Examiner rejects pending claims 1-20 as being unpatentable over Minder, Gundewar, and Leymann. In response, Applicant amends independent claims 1, 12, and 16, and adds new claims 21-22 to more clearly define the invention. Claim 5 is also amended herein to correct a minor error not related to patentability.

Minder is essentially a customer satisfaction reporting system, wherein customized input forms capture one contracting party's opinions about various aspects of housekeeping services, and those opinions are then summarized by a computed score. Minder does not automatically manage agreements with contingencies where information regarding the contingencies is acquired from independent sources, as taught and claimed by the present invention (as amended). Similarly, Gundewar and Leymann disclose automated project planning and workflow management systems, respectively, to help internal "team members" (in the language of Gundewar) or "subscribers" (in the language of Leymann) plan and manage their projects. These cited prior art references involve direct management of information regarding contingencies by the participating workers themselves.

In contrast, the specification describes that agreement-specific information is preferably provided independently of the contracting parties by a third party (page 4 lines 13-15). Once the contractual conditions are entered into the system, the contracting parties may go their separate ways (page 5 lines 20-22). Thus, the present invention allows contracting parties to select contingencies in their agreement having some contingent terms depend on events and data that may be independently observed, to manage the contracts automatically (page 6 lines 21-25). In other words, conditions may depend upon independent informational sources (page 7 lines 2-3). Those informational sources are identified and links are provided to the sources (page 6 lines 2-3) for automatic information retrieval. The specification describes numerous specific examples of the kind of data that can be provided by the independent sources. See for example page 6 line 2, page 7 lines 10-12 and line 16, page 8 lines 1-7 and 15-24, and page 9 lines 1-2 for support for new claims 21 and 22.

Thus, the cited prior art neither separately nor in combination fairly teach or suggest the present invention as currently claimed. Applicant believes all pending claims are allowable as amended and therefore requests this case be allowed by the Examiner. The prior

art made of record and not relied upon but considered pertinent to Applicant's disclosure has been reviewed. The Examiner is invited to telephone the Applicant's representative at the number below to expedite prosecution of this case.

Respectfully submitted,

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